REMARKS

This paper is responsive to the Final Office Action dated September 9, 2005. All rejections and objections of the Examiner are respectfully traversed. Reconsideration and further examination are respectfully requested.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone David A. Dagg, Applicants' Attorney at 617.630.1131 so that such issues may be resolved as expeditiously as possible.

At paragraph 1 of the Office Action, the Examiner objected to claims 28 and 42 for improperly depending from claim 1. Applicants respectfully note that claim 28 was previously amended to depend from claim 15. Claim 42 has been amended herein to depend from claim 29.

At paragraphs 2 and 3 of the Office Action, the Examiner rejected claims 1-9, 11-13, 15-23, 25-27, 29-37, 39-41 and 43 for obviousness under 35 U.S.C. 103, citing United States Patent 5,687,167A of Bertin et al. ("Bertin et al.") in combination with United States Patent 6,771,661B1 of Chawla et al. ("Chawla et al."). At paragraph 4, with regard to claims 10, 14, 24, 28, 38 and 42, the Examiner additionally cited United States Patent 6,459,682B1 of Ellesson et al. ("Ellesson et al."). Applicants respectfully traverse these rejections.

As expressly set forth in its Background section, Bertin et al. teaches that bandwidth management in most high speed packet communications networks use connection controls applied ***at the time the connection is set up***. The Examiner has previously stated, and Applicants wish to presently emphasize, that the teachings of Bertin et al. include no disclosure regarding receiving indications of future activation times at which resources to be activated.

Chawla et al. disclose a system which enables a data communications device to dynamically modify allocation of resources upon the occurrence of specific events or times without having to break active sessions of data communications. Resource allocations in Chawla et al. are made by bandwidth reservations provided to a data communications device that specify a session of data communication and future bandwidth modification information, such as a time or event, that will cause the data communications device to *modify* an amount of bandwidth reserved for the specified session of data communications *at that data communication device*. The data communications device of Chawla et al. detects the occurrence of the future event *in the data communications device* and, in response to detecting its occurrence, *modifies* the amount of bandwidth allocated to the session of data communications *in the data communications device*.

Ellesson et al. teaches a system for controlling packet traffic in a network of originating, receiving and intermediate nodes to meet performance objectives established by service level agreements.

Nowhere in the combination of Bertin et al. and Chawla et al., or in the combination of Bertin et al., Chawla et al, and Ellesson et al., is there disclosed or suggested any system or method for allocating resources on a network, including:

> receiving a request for reservation of network resources, the reservation including a destination address on the network and a future activation time at which the resources are to be activated; and
>
> allocating resources on network devices on a path to the destination address to accommodate the reservation if the network devices have sufficient resources to accommodate the reservation, wherein the allocating is at the future activation time, and wherein the allocating includes communicating over the network at the future activation time with at least one policy enforcement point, wherein the policy enforcement point is on the path and at an edge of the network, ***wherein the communicating includes configuring the at least one policy enforcement point by installing, at the future activation time, at least one internet protocol traffic filter in the policy enforcement***

> ***point, wherein the installing activates the requested reservation of network resources for the destination address on the network.*** (emphasis added)

as in the present independent claims 1, 15, 29 and 43. The activation of a requested reservation at a future time indicated in a previous reservation request, by communicating over a network to install an internet protocol traffic filter at a policy enforcement point, as set forth above in the present independent claims, stands in contrast to Bertin et al.'s teaching of resource allocation performed *at the time a connection is established,* and to Chawla et al.'s teaching of changing attributes of a *previously established session within a network device based on internally detected events.* In particular, Applicants respectfully urge that the distribution of control information in Bertin et al. does not teach or suggest the activation of a requested reservation using an internet protocol traffic filter, as in the present independent claims. In this regard, Bertin et al. states as follows beginning at line 38 column 7:

> . . . Control Spanning Tree for establishing and maintaining a routing tree among the network nodes for using it to distribute control information (in parallel) including link utilization, and for updating nodes and their Topology Database with new network configurations or link/node failures. Topology Update for distributing and maintaining, in every node, information about the physical and logical network (including link utilization information) using the Control Spanning Tree; and Congestion Control for ***enforcing the bandwidth reservation agreements between the network's user and the network which are established at the call set up time, and for estimating actual bandwidth and for adjusting reservation if necessary during the life of the connection.*** (emphasis added)

As indicated in the above passage, the control information of Bertin et al. does not activate a request at a policy enforcement point at a previously indicated future reservation time, as in the present independent claims, but instead operates to enforce bandwidth reservations established at a previous call set up time, or to adjust previously made reservations.

Applicants further respectfully note that Chawla et al. disclose filters only within their use in RSVP as "filterspec parameters to filter each packet (data in) that arrives at the device to determine the route and queue for the packet within the data queuing mechanism 105" (Column 3, lines 35-46 of Chawla et al.). Ellesson et al. is similar to Bertin et al. and Chawla et al. in that it includes no suggestion of even a need or possibility of providing resource allocation that includes *configuring the at least one policy enforcement point by installing, at the future activation time, at least one internet protocol traffic filter in the policy enforcement point, wherein the installing activates the requested reservation of network resources for the destination address on the network*, as in the present independent claims.

For the above reasons, Applicants respectfully urge that the combination of Bertin et al. and Chawla et al. does not disclose or suggest all the features of the present independent claims 1, 15 and 29, from which claims 2-9, 11-13, 16-23, 25-27, 30-37 and 39-41 depend. Accordingly, the combination of Bertin et al. and Chawla et al. does not form a *prima facie* case of obviousness under 35 U.S.C. 103 with respect to the present independent claims 1, 15, 29 and 43, and dependent claims 2-9, 11-13, 16-23, 25-27, 30-37, 39-41 are believed to be patentable over the combination of Bertin et al. and Chawla et al. for at least the same reasons. Similarly, Applicants respectfully urge that the combination of Bertin et al., Chawla et al. and Ellesson et al. does not disclose or suggest all the features of the present independent claims 1, 15, and 29, that the combination of Bertin et al., Chawla et al. and Ellesson et al. therefore does not form a *prima facie* case of obviousness either under 35 U.S.C. 103 with regard to these independent claims, and dependent claims 10, 14, 24, 28, 38 and 42 are believed to be patentable for at least the same reasons.

Reconsideration of all pending claims is respectfully requested.

For these reasons, and in view of the above amendments, Applicants respectfully urge that all rejections of the Examiner should be withdrawn. This application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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